IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FIRST DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

And

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No.3275 of 2000

Between:

Kommuru Sudhakar Rao

Managing Partner Raghavendra Financiers,
S.R.R. Puram, Nellore,

..... PETITIONER

AND

1 The Union of India, Rep. by its Secretary.
Ministry of Home Affairs, Central Secretariat,
New Delhi.

2 Batchu Hanuman (Minor)

Rep. by his father & Natural Guardian,
Batchu Anjaneyulu, Rebalavari Street, Nellore.

3 Kande Satyanarayana, S/o. Srinivasulu,

Stone Housepet, Nellore.

4 Jonna Saritha, Minor,

Rep. by her mother and Natural Guardian

Vijayalakshmi, W/o. Late Rajagopala Rao,
at H.P.C. Petrol Bunk, Atmakur Bus Stand Road, Nellore.

5 The Station House Officer, II Town Police Station,
Nellore, Nellore District.

(R5 is impleaded as per court order, dt.23-6-2000,

in WPMP 13872/2000.)

.....RESPONDENT(S)

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate writ or writs, order or direction declaring Sec. 27 of the Consumer Protection Act 1986 as illegal, arbitrary and unconstitutional and violative of the Art.14, 19 and 21 of the Constitution of India and consequently declare the proceedings in E.P.No. 108, 109 and 110 of 1998 in C.D. Nos.439, 440 and 41 of 1996 respectively on the file of District Consumer Forum, Nellore as *void abinitio*, null and void.

Counsel for the Petitioner: MR.K. RAJI REDDY

Counsel for Respondent No.1: MR.ARAJASHEKAR REDDY (SC FOR CG)

Counsel for Respondent Nos.2 to 4: Mr. P. Sreedhar Reddy.

Counsel for Respondent No.5:

The Court made the following :

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ORDER: (Per Hon'ble Sri Justice B. Sudershan Reddy)

The subject matter that arises for consideration in this Writ Petition is squarely covered by the decision rendered by a Full Bench of this Court in ***C.V. Ratnam v. Union of India & Others***.

Following the decision of the Full Bench, this writ petition is required to be dismissed and the same shall accordingly stand dismissed without any order as to costs.

However, the petitioner shall have the advantage of the observations made in the judgment and the remedy to prefer appeal against the decision of the District Forum is left open.

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B. SUDERSHAN REDDY, J

Date:01-11-2004.

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K.C. BHANU, J

PV

To

1. The Secretary, Union of India,
   Ministry of Home Affairs, Central Secretariat,
   New Delhi.

2. The Station House Officer, II Town Police Station,
   Nellore, Nellore District.

3. Two C.D. copies.